

**UNITED STATES DISTRICT COURT**  
**for the**  
**EASTERN DISTRICT OF NORTH CAROLINA**

**U.S.A. vs. Harry Lee Joyner**

**Docket No. 5:09-CR-308-1F**

**Petition for Action on Supervised Release**

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Harry Lee Joyner, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge on June 11, 2010, to the custody of the Bureau of Prisons for a term of 70 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Harry Lee Joyner was released from custody on October 23, 2014, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On April 16, 2016, the defendant was arrested by the Raleigh Police Department, Raleigh, North Carolina, for Felon in Possession of a Firearm (16CR207549) and misdemeanor Carrying a Concealed Gun (16CR207549), which allegedly occurred on the same date. Joyner was a passenger inside a vehicle with two additional individuals when a traffic stop revealed a concealed handgun. The defendant was detained on the Wake County charges under a \$52,000 secured bond.

A Motion for Revocation and Warrant for Arrest were filed on May 2, 2016, alleging the defendant had violated the conditions of his supervised release by committing the above-referenced offenses. On May 27, 2016, after subsequent investigation was conducted, the charges were dismissed in Wake County District Court. Contact with the Wake County District Attorney's Office confirmed a lack of evidence against Joyner. It now appears that the ends of justice would best be served by withdrawing the Motion for Revocation and releasing the defendant from custody.

**PRAYING THAT THE COURT WILL ORDER** that the Motion for Revocation filed on May 2, 2016, be withdrawn, the defendant be released from custody, and the term of supervised release continued.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Michael W. Dilda  
Michael W. Dilda  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2342  
Executed On: May 31, 2016

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**ORDER OF THE COURT**

Considered and ordered this 1<sup>st</sup> day of June, 2016 and ordered filed and made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge